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Subject: Rulemaking comments
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Delta Stewardship Council

Comment 1. Personal stake in the Delta Plan

I reside in Rancho Cordova, near the American River, and feel that a process which only exams degradation of the Delta is myopic and will not protect those in areas of origin and those who live near tributaries of the Sacramento River. I live near the American River and am concerned its health and status as a Wild and Scenic River will be eroded by thinking only of the Delta as defined in the Delta Plan. Since the waters that get exported originate far above and below the Delta, those rivers and tributaries need to be protected in terms of flow rate and ESA, CEQA and NEPA. I have seen the decline in the Salmon populations ebb and flow with flow rates.

Comment 2. Flow rates, Delta and tributaries

I agree with Mr. Wrights comment on flow rates, they should be determined and used for planning. Flow in tributaries should be determined earlier than now scheduled so that they are factored into the complete system analysis as a basis for planning.

Comment 3. Reasonable Use, Public trust and transparency in water rights, environmental protections.

"(Since 1990, the **CVP** has fulfilled 100 percent of its contract water allocations **only three times**, and the **SWP** has delivered 100 percent of its contract amounts **only twice** Reclamation 2011b,DWR 2010b)." Final Draft Delta Plan Chapter 3. p. 91 line 6-8.

We need our decisions about exports and ecological restoration based on science. The reason we are currently in this crisis is that we have not done so in the past, allowing over diversion and resultant environmental degradation. These problems must be dealt with in a transparent way, especially on the issues: water rights; water transfers; public trust; area of origin; public understanding of the CEQA/Delta Plan process; the burden to be borne by the tax payer as well as rate payers; as well as with the benefit in terms of profits in dollars to those who sell water as a commodity.

Water used for this fracking must be limited, and subject to availability of surplus water.

I agree with Mr. Di Croce, EWC, that we need an adequate assessment of actual water available, we need a full cost/ benefit analysis and analysis of Public Trust benefit as well as assurance of reasonable use.

Comment 4 . Covered action defined, water transfers

Section 5003(b)(2)(C) exempts one-year transfers from being considered a covered action, which is consistent with Section 1729 of the Water Code. However, Section 5003(b)(2)(C) sunsets the exemption on 1/1/2015.

I think this is good, as otherwise there maybe year to year transfers that go on without environmental review.

This is a complex process, and as a citizen taxpayer I want to see the American River protected. I appreciate the Council's diligence in this process

Kathleen Kimberling